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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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In the Matter of)
Amendment of Section 90.239)
of the Commission's Rules)
to Adopt Permanent)
Regulations for Automatic)
Vehicle Monitoring Systems)

RM No. 8013

To: The Commission

COMMENTS OF SOUTHWESTERN BELL CORPORATION

Southwestern Bell Corporation ("SBC"), on behalf of its operating affiliates and subsidiaries, submits these comments in response to the Commission's Public Notice issued June 23, 1992, relating to the Petition for Rulemaking filed by North American Teletrac and Location Technologies, Inc. in the above-referenced matter.¹

I. INTRODUCTION

North American Teletrac and Location Technologies, Inc. have formed a joint venture known as PacTel Teletrac ("Teletrac") to deploy wide band automatic vehicle monitoring systems in certain markets in the United States. In its Petition, Teletrac requests that the Commission adopt permanent rules for the

¹ Petition for Rulemaking (hereafter "Petition") filed May 28, 1992.

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provision of Automatic Vehicle Monitoring ("AVM"). In addition, Teletrac proposes that the permanent rules allocate two 8 MHz wide-band pulse ranging systems per market, proposes co-channel separation to prevent interference and proposes certain licensing rule changes.²

SBC supports the need for the Commission to adopt permanent rules and supports the theory regarding frequency separation to prevent interference. SBC, however, would suggest that there are a number of areas where Teletrac's proposals are too narrow and there are additional areas which should be addressed by the FCC in any Notice of Proposed Rulemaking ("NPRM"). Accordingly, SBC supports the initiation of a Rulemaking, but would suggest that the Commission seek comments on a number of issues in addition to those raised by Teletrac.

II. PERMANENT RULE CHANGES

SBC supports the initiation of a Rulemaking to adopt permanent rules for the operation of AVM systems. As Teletrac points out, AVM services have been offered under interim rules since 1974. Teletrac identifies five principle inadequacies in the interim rule, each of which SBC agrees with, at least in

² Petition, pages iii-v, 15-19, 20, 22, 24, 32-35.

theory.³ SBC would point out, however, that in some instances Teletrac proposes changes with which SBC does not agree.

A. Frequency Assignment Plan

The Commission has previously allocated two separate frequency segments, 904-912 and 918-926 MHz for wide band, pulse ranging AVM systems.⁴ Teletrac indicates that the permanent rules should retain the assignment pattern of two 8 MHz wide frequency allotments.⁵ Interestingly, Teletrac offers no supporting information as to why only two licenses should be granted with an 8 MHz frequency assignment. SBC would encourage the Commission to seek comments on alternative assignment and licensing proposals. SBC is currently investigating technologies which may offer sufficient capacity requirements to provide this service with frequency assignments at least as small as 4 MHz. Even smaller frequency assignments may be possible. The Commission should seek comments on the appropriateness of licensing at least four carriers in any single market, each with 4 MHz wide frequency assignment.⁶ At the very least, Teletrac and other supporting commentators should

3 Petition at pages 16-19. SBMS agrees with the proposed change in the definition of AVM as outlined on page 20 of Teletrac's Petition.

4 See 47 C.F.R., Section 90.239; Petition at page 20.

5 Petition at page 21.

6 Indeed, it is possible that even smaller frequency assignments would be sufficient.

be put to the test to document why it is "essential" that the permanent rules retain the 8 Mhz wide frequency assignment plan as asserted in Teletrac's Petition.⁷

SBC would support the initiation of a rulemaking regarding the separation of the transmit and receive frequencies as contemplated in the Petition.⁸ However, SBC would encourage the Commission to seek comments on revisions to Table 1 set out in the Petition to reflect assignments of frequencies in 4 MHz wide allotments.⁹ For example, SBC believes that Table 1 of the Teletrac Petition can be broken down to provide adequate forward link separation from the return link for more than two carriers. For example, should a four (4) carrier licensing scheme be adopted, the lower AVM band could be licensed as follows:

<u>Wide Band Return Link</u>	<u>Forward Link</u>
904-907.999999 MHz	924.890-925.140 MHz
908-911.999999 MHz	925.140-925.390 MHz

7 Petition at page 21.

8 Petition at pages 21 and 22.

9 SBC is willing to assist the FCC in analyzing the appropriateness and effectiveness of such an assignment to allow a number (greater than two) of AVM licensees to operate in an interference-free environment. It may well be that even smaller allocations could efficiently support these services. SBC would suggest that the FCC seek comments on the maximum number of licensees who could be licensed in a particular area while offering an appropriate quality of service.

While SBC supports the initiation of rulemaking in this area, SBC would urge the Commission to broaden the inquiry to address these issues.

B. Co-Channel Separation

SBC agrees with Teletrac's proposal that the Commission adopt rules outlining co-channel separation requirements. SBC would suggest, however, that the Commission seek comments on the Teletrac proposal that two licenses be granted with co-channel separation established at 110 miles. In addition, SBC would suggest that the Commission seek comments on the Teletrac proposal that the standard service area encompass a 50 mile radius from the center of each major urbanized area as identified in Section 90.635 of the Commission's Rules.¹⁰ SBC believes that the Commission should seek comment on the appropriateness of utilizing the existing boundaries devised for cellular carriers along the lines of a Metropolitan Statistical Area ("MSA") or Rural Service Area ("RSA"). SBC is concerned that the utilization of Teletrac's proposed 50 mile radius will result in large areas not being served at all, and in some metropolitan areas which exceed a 50 mile radius actually being carved up, resulting in portions of a metropolitan area being left out of the service territory. SBC would welcome the opportunity to provide comments on the appropriateness of the

10 See 47 C.F.R., Section 90.635; Petition at pages 30-31.

MSA and RSA boundaries as the territory to be licensed and would encourage the Commission to seek comments of other interested parties on this proposal.¹¹

C. Applications and Licensing

SBC agrees that comments should be sought on the establishment of permanent rules for the filing of applications and issuance of licenses to construct and operate AVM systems.¹² The application and licensing process is clearly essential to the provision of this service to the public in a prompt and efficient manner.

Teletrac requests that the Commission grandfather existing licensees during the transition from interim rules to permanent rules. While this proposal may be appropriate, SBC would suggest that the Commission not preclude new or additional competitors who may offer a more efficient technology and use of the licensed spectrum. In this respect, a clear record should be developed to show what effects the grandfathering of existing licensees would have on both competition and the efficient use

11 While Teletrac addresses the issue of co-channel separation, it does not address the issue of adjacent channel interference, nor does PacTel address the issue of the adjacency of narrowband users to wideband licensees without a guardband between them. SBC would suggest that the Commission include in any NPRM a request for comments on an appropriate emissions profile to be defined and approved by the FCC to ensure that adjacent channel interference does not occur either from the wideband or narrowband users.

12 Petition at pages 32-35.

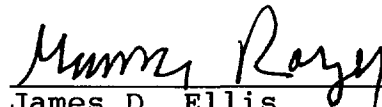
of spectrum. Significantly, if PacTel's proposals regarding grandfathering were coupled with a permanent license for AVM on 904-912 and 918-926 MHz, then the FCC would basically preempt any other operators entering the AVM business in Los Angeles, Chicago, Detroit and Dallas today and in Miami and Houston in the near future. This result would not necessarily promote competition or the efficient use of allocated radio spectrum. SBC would welcome the opportunity to provide comments on these issues.

III. CONCLUSION

Teletrac's Petition raises a number of issues which warrant further investigation by the Commission. SBC would, however, encourage the Commission to broaden the inquiry as outlined in these Comments. While SBC does not agree with each position outlined by Teletrac, SBC would welcome the opportunity to provide the Commission with comments regarding proposed amendments to the Commission's Rules for the provision of the AVM service.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Mary J. Mercer, hereby certify that copies of the foregoing Comments of Southwestern Bell Corporation have been served by first class United States mail, postage prepaid, on the parties listed on the attached.



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